# **EXHIBIT A**





#### PROVIDENCE PLANTATIONS

#### **SUPERIOR COURT**

#### **SUMMONS**

	Civil Action File Number WC-2018-0369
Plaintiff Christopher Laccinole	Attorney for the Plaintiff or the Plaintiff Christopher Laccinole
vs. Defendant Adt Llc D/b/a Adt Security Systems	Address of the Plaintiff's Attorney or the Plaintiff 17 Richard Smith Narragansett RI 02882
McGrath Judicial Complex Washington County 4800 Tower Hill Road Wakefield RJ 02879 (401) 782-4121	Address of the Defendant CT Corporation System 450 Veterans Memorial Parkway Suite 7A East Providence RI*02914

#### TO THE DEFENDANT, Adt Lic D/b/a Adt Security Systems:

indicated above named Plaintiff has brought an action against you in said Superior Court in the county indicated above. You are hereby summoned and required to serve upon the Plaintiff's attorney, whose address is listed above, an answer to the complaint which is herewith served upon you within twenty (20) days after service of this Summons upon you, exclusive of the day of service.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a) of the Superior Court Rules of Civil Procedure, imless the relief demanded in the complaint is for damage arising out of your ownership, maintenance, operation, or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the Plaintiff or you will thereafter be barred from making such claim in any other action.

This Summons was generated on 7/20/2018.	/s/ Danielle Keegan
	Clerk

Witness the seal/watermark of the Superior Court

A TRUE COPY ATTEST
DEPUTY SHERIFF



## **SUPERIOR COURT**

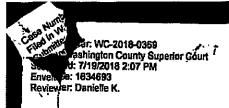
Civil Action File Number

Christopher Laccinole	WC-2018-0369
V.	
Defendant Adt Llc D/b/a Adt Security Systems	
Aut Lie Dibia Aut Security Systems	
PROOF OF SERVICE	- W
A A	
I hereby certify that on the date below I served a copy of the	is Summons, complaint, Language Assistance
I hereby certify that on the date below I served a copy of the Notice, and all other required documents received herewith upon	the Defendant, ADT LLC d/b/a ADT Security
Systems, by delivering or leaving said papers in the following ma	nner:
☐ With the Defendant personally	
☐ At the Defendant sidwelling house of usual place of abod	e with a person of suitable age and discretion
then residing therein.	
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Relationship to the Defendant	
N. T. W.	A 371 31
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If the agent is one designated by statute to receive service,	further notice as required by statute was given
as noted below.	
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☐ With a guardian or conservator of the Defendant.  Name of person and designation	and the same of th
tvaine of person and designation	
☐ By delivering said papers to the attorney general or an assis	tant attorney general if serving the state.
☐ Upon a public corporation, body, or authority by delivering	said papers to any officer, director, or
manager.	The first of any armony and are
Name of person and designation	

Plaintiff



Upon a private corporation, domestic or foreign:
☐ By delivering said papers to an officer or a managing or general agent.
Name of person and designation
☐ By leaving said papers at the office of the corporation with a person employed therein.
Name of person and designation
☐ By delivering said papers to an agent authorized by appointment or by law to receive service of process.
Name of authorized agent
If the agent is one designated by statute to receive service, further notice as required by statute was given
as noted below.
Compared to the property of th
☐ I was unable to make service after the following reasonable attempts:
El I was tillable to make service after the following reasonable afteribis.
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SERVICE DATE: SERVICE FEE \$ 1
Month Day Year)
Signature of SHERIFF or DEPUTY SHERIFF or CONSTABLE
Stranger Michigan and All Michigan
SIGNATURE OF PERSON OTHER THAN A SHERIFF OF DEPUTY SHERIFF OF CONSTABLE MUST BE
NOTARIZED.
Signature
State of
County of
On this day of, before me, the undersigned notary public, personally
appeared personally known to the notary
or D proved to the notary through satisfactory evidence of identification, which was
, to be the person who signed above in my presence,
and who swore or affirmed to the notary that the contents of the document are truthful to the best of his or her knowledge.
Notary Public:
My commission expires:
Notary identification number:



STATE OF RHODE ISLAND WASHINGTON COUNTY

**SUPERIOR COURT** 

CHRISTOPHER LACCINOLE Plaintiff

C.A. No.

Vs.

ADT LLC d/b/a ADT Security Systems; and DOES 1-10, inclusive Defendants

Jury Trial Requested

#### COMPLAINT

- The Plaintiff brings this action alleging the Defendants repeatedly violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (hereinafter "TCPA").
- Plaintiff has no pre-existing business relationship with ADT and never requested by an agreement or otherwise that he be contacted.
- The Plaintiff seeks statutory damages, injunctive relief, declaratory relief, costs, and attorney's fees under the TCPA and RI DTPA.
- Any violations by Defendants were knowing, willful, repeated, and intentional, and
  Defendants did not maintain procedures reasonably adapted to avoid any such
  violation.

#### JURISDICTION AND VENUE

- 5. This Court has jurisdiction to hear the TCPA claims in this matter pursuant to 47 U.S.C. § 227(b)(3) and 47 U.S.C. § 227(c)(5).
- 6. Venue in this County is proper pursuant to 47 U.S.C. § 227(b)(3) and 47 U.S.C. § 227(c)(5) because the Plaintiff is a resident of this County and the conduct complained of took place in this County.
- 7. This Court has jurisdiction to hear the state law DTPA claims pursuant to RIGL § 6-

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13.1-5.2.

8. Plaintiff's action for declaratory relief is authorized by the Rhode Island Uniform

Declaratory Judgments Act (RIGL § 9-30-2).

#### **PARTIES**

- 9. The Plaintiff is an adult resident, of the Town of Narragansett, County of Washington, State of Rhode Island, and is a "person" as the term is defined by 47 U.S.C. § 153(39).
- 10. Upon information and belief, the Defendant, ADT LLC d/b/a ADT Security

  Systems ("ADT"), is a New York business entity with an address of 229 West 28th

  Street, New York, New York 10001, and is a "person" as the term is defined by 47

  U.S.C. § 153(39).
- Upon information and belief, Defendant ADT LLC may be served upon its registered agent in the State of Rhode Island, to wit: CT Corporation System at 450 Veterans Memorial Parkway, Suite 7A, East Providence, RI 02914.
- 12. Does 1-10 (the "Agents") are individual employees and/or agents employed by ADT and whose identities are currently unknown to the Plaintiff. One or more of the Agents may be joined as parties once their identities are disclosed through discovery.
- 13. ADT at all times acted by and through one or more of the Agents.

#### FACTUAL ALLEGATIONS

- 14. In late June 2018 and continuing through July 2018, ADT called Plaintiff's cellular telephone, number xxx-xxx-3487.
- 15. The calls were placed from telephone number 800-522-2455.
- Defendants further engaged in unsolicited text messaging to Plaintiff.

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Envelope: 1634893 Reviewer: Danielle K.

- 17. When Plaintiff answered the calls from ADT, he heard a prerecorded message requesting a call back regarding some important information.
- 18. Plaintiff does not have an account with ADT.
- 19. Plaintiff has no pre-existing business relationship with ADT and never requested by an agreement or otherwise that he be contacted.
- 20. Plaintiff never provided his cellular telephone number to ADT and never provided his consent to ADT to be contacted on his cellular telephone.
- 21. Plaintiff's phone number is part of the national Do Not Call register.
- 22. ADT's calls directly interfered with Plaintiff's right to peacefully enjoy a service that Plaintiff paid for and caused Plaintiff a significant amount of anxiety, frustration and annoyance.
- 23. The telephone calls and text messaging to Plaintiff's cellular telephone number were not initiated for an emergency purpose.
- 24. The robocalls were annoying, abusive, and harassing to Plaintiff.
- 25. Plaintiff incurred actual damages as a result of Defendants' behavior.
- 26. The robocalls to Plaintiff invaded the privacy interests that the TCPA was intended to protect.
- 27. Defendants do not maintain a written policy for maintaining a do-not-call list.
- 28. Defendants have not informed and trained personnel engaged in making calls on the use of the do-not-call list.
- 29. Defendants do not provide the called party with the name of the individual caller, the name of the person or entity on whose behalf the call is being made, and a telephone number or address at which the person or entity may be contacted.

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#### COUNT I - Telephone Consumer Protection Act - 47 U.S.C. § 227(b)(3)

- 30. The acts of the Defendants constitute violations of the Telephone Consumer

  Protection Act.
- 31. Defendants' violations of the TCPA include, but are not limited to, the following:
  - i. Making and/or initiating a telephone call using an automatic telephone dialing system or an artificial or prerecorded voice to any telephone number assigned to a cellular telephone service, in violation of 47 U.S.C. § 227(b)(1)(A)(iii).
- 32. As a result of Defendants' actions, under 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
- 33. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(b)(3) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(b)(3);
- 2) Statutory Damages in the amount of \$1,500 per phone call pursuant to 47 U.S.C. § 227(b)(3);
- 3) Declaratory Relief that the Defendants violated the Telephone Consumer Protection Act:
- 4) Referral to the Rhode Island Attorney General for further review.
- 5) Such other relief as the Court may deem just and appropriate.

#### COUNT II - Telephone Consumer Protection Act-47 U.S.C. § 227(c)(5)

- 34. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
- 35. Defendants' violations of the TCPA include, but are not limited to, the following:
  - i. Violations of 47 CFR 64.1200
  - ii. Violations of the do not call requirements at 47 U.S.C. § 227(c)

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- 36. As a result of Defendants' actions, under 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
- 37. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(c)(5) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

1) Actual Damages pursuant to 47 U.S.C. § 227(c)(5);

2) Statutory Damages in the amount of \$1,500 per phone call pursuant to 47 U.S.C. § 227(c)(5);

3) Declaratory Relief that the Defendants violated the Telephone Consumer Protection Act:

4) Referral to the Rhode Island Attorney General for further review.

5) Such other relief as the Court may deem just and appropriate.

#### COUNT III - RHODE ISLAND DTPA

- 38. The Plaintiff reasserts the facts and allegations contained in all of the proceeding paragraphs and incorporates them into this Count.
- Defendants violated the restrictions the RI DTPA imposes on them prohibiting

  Defendants from using unfair and deceptive practices in violation of Rhode Island

  General Law § 6-13.1-1 (6) (xii-xiv).
- 40. Defendants engaged in unfair means to obtain money from a consumer.
- As a result of such conduct and actions, the Plaintiff has suffered actual damages, in an amount to be determined by the court, and he may recover therefore pursuant to Rhode Island General Law § 6-13.1-5.2.
- 42. Such conduct and actions of Defendants were willful, egregious, wicked, and, as a result, the Plaintiff is entitled to punitive damages pursuant to Rhode Island General

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Reviewer: Danielle K.

Law § 6-13.1-5.2.

43. The Plaintiff is entitled to an award of attorney's fees pursuant to Rhode Island General Law § 6-13.1-5.2.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to RIGL § 6-13.1-5.2;
- 2) Statutory Damages in the amount of \$200 for each violation of the Rhode Island Deceptive Trade Practices Act pursuant to RIGL § 6-13.1-5.2;
- 3) Punitive Damages pursuant to RIGL § 6-13.1-5.2;
- 4) Costs and attorney fees pursuant to RIGL § 6-13.1-5.2;
- 5) Declaratory Relief that the Defendants violated the Rhode Island Deceptive Trade Practices Act;
- 6) Injunctive Relief to refer the Court's findings to the Rhode Island Attorney General.
- 7) Injunctive Relief to restrain and enjoin Defendants from violating the Rhode Island Deceptive Trade Practices Act.
- 8) Such other relief as the Court may deem just and appropriate.

The Plaintiff, Christopher Laccinole

/s/ Christopher M. Laccinole Christopher M. Laccinole 17 Richard Smith Rd. Narragansett, RI 02882 chrislaccinole@gmail.com

#### JURY DEMAND

The Plaintiff demands a trial by jury on each and every count.

/s/ Christopher M. Laccinole

Christopher M. Laccinole

មើលសេចក្តីជូនដំណឹងនេះជាភាសាខ្មែរ អេស្បាញ និងព័រចុយញ្ជីលនៅលើទំព័រជ្រែលបានក្លាប់។

## សេចក្តីជូនដំណឹង



# លោកអ្នកមានបណ្ដឹងនៅក្នុងប្រព័ន្ធតុលាការនៃផ្នែ Rhode Island។

## <u>លោកអ្នកមានសិទ្ធិស្នើសុំអ្នកបកប្រែដោយឥត្តិគិតថ្លៃសម្រាប់ខ្លួនឯង។</u>

ដីកាប្រតិបត្តិរបស់ពុលាការកំពូលនៃ Rhode Island (Rhode Island Supreme Court Executive Order) លេខ 2012–05
បានបែងថានៅពេលបុគ្គលដែលមានចំណេះដឹងផ្នែកភាសាអង់គ្លេសមានកំណត់ (LEP) បង្ហាញ់ខ្លួននៅក្នុងពុលាការ ពុលាការនៃ
Rhode Island នឹងផ្តល់អ្នកបកប្រដែលបានអនុញ្ញាតដោយឥតគិតថ្លៃសូម្រាប់ក្នុងចោទ ដើមយោទ សារក្សី ជនរងគ្រោះ

មាភាបិការបស់អនីតិជន ឬនរណាម្នាក់ដែលពាក់ព័ន្ធយ៉ាងសំខាន់នៅក្នុងដំណើរការតុលាភារ។ សេវាកម្មបកប្រែនេះ ក្រូវបានផ្ដល់ជូនព្រែយកពតិតថ្លៃសម្រាប់ៗភាគី និង នៅត្រប់ប្រភេទនៃបណ្ដឹង ទាំងរដ្ឋប្បដណី និងព្រហ្មទណ្ឌ។ អ្នកមកហ្វែងកុលាការធ្វើការនៅក្នុងត្រប់កុលាការទាំងអស់របស់ប្រព័ន្ធតុលាកានៃរដ្ឋ Rhode Island។ ដើម្បីក្រោងពេលដល់អ្នកបកប្រែសគ្រាប់ថ្ងៃចូលសានាការបស់លោកអ្នក លោកអ្នកមានជម្រើសដូចខាងក្រោម ៖

- 1. ទូរស័ត្ទមកកាន់ការិយាល័យអ្នកបករំប្រប្រចាំពុណភាគោមរយៈលេខ (401) 222-8710 ឬ
- 2. ធ្វើអ៊ីម៉ែលទៅកាន់ <u>interpreterfeedback@courts.ri.gov</u> q
- ទៅភាទ់ការិយាល័យអ្នកបកប្រៃដើម្បីព្រោងពេលវេលាអ្នកបកប្រែ ៖

The Office of Court Interpreters Licht Judicial Complex Fourth Floor, Room 401 250 Benefit Street Providence, RI 02903

នៅរវាលស្នើស៊ីអ្នកបកប្រៃ សូមផ្តល់ខ្លូវគីតិមានដូចខាងព្យាកម 🛭

- ឈ្មោះ និងលេខបណ្ដឹងរបស់លោកអ្នក
- ភាសាដែលលោកអ្នកស្នើសុំ
- កាលបំផ្ដែទ និងចៅងសានាការរបស់លោកអ្នក
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សម្រាប់ព័តិមានបន្ថែមជាភាសាពីរខុយជ្អីល រូស្ស៊ី និងរដស្បាញ រួមទាំងបញ្ជីទម្រង់បែបបទៗលាការដៃល៉ឺមានជាភាសាដេស្ប៉ាញដោះ សូមចូល ទៅកាន់ដេហទំព័រយើងខ្ញុំនៅលើអ៊ិនធឺណិត ៖

https://www.courts.ri.gov/Interpreters/englishversion/Pages/default.aspx.

ដើម្បីស្នើស៊ីការបកប្រែរសចក្តីជូនដំណីងនេះជាភាសាណាមួយផ្សេងទៀត ស្នមទូរស័ព្ទមកភាវិយាលីយអ្នកបកប្រែប្រីបាំគុលាការតាមវ័យដែលខ (401) 222-8710។ វាជាការចាំបាច់ដែលត្រមានអ្នកនិយាយភាសាអង់គ្លេសជាមួយលោកអ្នកនៅពេលដែលរំលោកអ្នកទូរស័ព្ទថ្មីល្បា

តុលាការ Rhode Island ម្ត្រៅធ្វើឲ្យតុលាការអាចប្រើប្រាស់បានសម្រាប់មនុីស្ព័គ្រាប់គ្នា។

miundiugnuntpypoiquame Licht Judicial Complex Fourth Floor Room 401 250 Benefit Street Providence, RI 02903

9/15

See this notice in Cambodian, Spanish, and Portuguese on the attached pages. Español: Véase esta notificación en camboyano, español y portugués en las páginas adjuntas. Português: Leja esta notificação em cambojano, espanhol e português nas páginas em anexo.

#### AVISO

# THE ISLE

#### Usted tiene un caso en el sistema judicial de Rhode Island.

### Usted tiene el derecho a tener un intérprete sin costo para usted.

La Orden Ejecutiva 2012-05 del Tribunal Supremo de Rhode Island dicta que cuando una persona que tiene un dominio limitado del inglés (LEP) comparece ante la corte, el Sistema Judicial de Rhode Island le proveera un intérprete autorizado gratis sea el

acusado/demandado, demandante, testigo, víctima, padre de un menor de edad alguien que tenga con un interés importante en el proceso de la corte. Este servicio de interpretación se le proveerá sin costo alguno a los participantes en toda clase de caso, sea civil o penal.

Los intérpretes judiciales trabajan en todos los tribunales del Sistema Judicial de Rhode Island.

Para solicitar un intérprete para su comparecencia en el tribunal, usted tiene las siguientes opciones:

- 1. Llamar a la Oficina de Intérpretes en el tribunal al 401-222-8710 ;
- Mandar un correo electrónico a interpreterfeedback@courts.ri.gov; o
- 3. Presentarse a la Oficina de Intérpretes para solicitar un intérprete:

The Office of Court Interpreters Licht Judicial Complex Cuarto Piso, Oficina 401 A-B 250 Benefit Street Providence, RI 02903

Al solicitar un intérprete, por favor provea la siguiente información:

- El nombre y el número de su caso
- El idioma que solicita
- La fecha y hora de su audiencia
- Dónde va a tomar lugar su audiencia
- Su nombre y número de teléfono por el cual nos podamos poner en contacto con usted o con su abogado.

Para obtener más información en portugués, ruso o español, incluyendo una lista de formularios de la corte que están disponibles en español, visite nuestra página de internet:

https://www.courts.ri.gov/Interpreters/englishversion/Pages/default.aspx

Para solicitar la traducción de este aviso en cualquier otro idioma, por favor llame a la oficina de intérpretes al (401) 222-8710. Ayudaria si usted puede estar en compañía de una persona que habla inglés cuando llame.

El sistema jurídico de Rhode Island se compromete a proporcionar a todas las personas mejor acceso a los tribunales.

The Office of Court Interpreters
Licht Judicial Complex
Fourth Floor Room 401
250 Benefit Street
Providence, RI 02903

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See this notice in Cambodian, Spanish, and Portuguese on the attached pages.

Camboyano: SAMPLE: [Véase esta notificación en camboyano, español y portugués en las páginas adjuntas.]

Español: Véase esta notificación en camboyano, español y portugués en las páginas adjuntas.

Português: Leia esta notificação em cambojano, español e português nas páginas em anexo.



# NOTIFICAÇÃO

# V. Ex. tem um processo em curso no sistema judiciário do Estado de Rhode Island,

V. Ex. a tem direito aos serviços gratuitos de um intérprete.

A Ordem Executiva 2012-05 do Supremo Tribunal de Rhode Island prevê que quando uma pessóa com conhecimentos limitados da língua inglesa (Limited-English Proficient) (LEP) comparece em tribunal, a Administração Judiciária de Rhode Island disponibiliza-lhe gratuitamente os serviços de um intérprete autorizado a um reu, autor, testemunha, vítima, pai ou mãe de um menor ou alguém com interesse significativo no processo judicial. O serviço de intérprete é prestado gratuitamente às partes e em todos os tipos de processos, sejam eles civis ou penais. Os intérpretes do tribunal trabalham em todos os tribunais do sistema judiciário do Estado de Rhode Island.

Para agendar os serviços de um intérprete para o seu dia no tribunal, tem as seguintes opções:

- 1. Telefonar para o Gabinete de Intérpretes Judiciais através do n.º (401) 222-8710, ou
- 2. Enviar uma mensagem de correio eletrónico para interpreterfeedback@courts.ri.goy, ou
- Desiocar-se ao gabinete de intérpretes para agendar os serviços de um intérprete:

Gabinete de Intérpretes Judiciais Complexo Judicial Licht Quarto Piso, Sala 401 250 Benefit Street Providence, RI 02903

Quando solicitar os serviços de um intérprete deve fornecer os seguintes dados:

- O nome e número do seu processo
- O idioma que solicita
- A data e hora da sua audiência
- O local da sua audiência
- O seu nome e um número de telefone para o podermos contactar a si ou ao seu advogado

Para obter mais informações em português, russo e espanhol, incluindo uma lista dos formulários judiciais disponíveis em espanhol, visite o nosso website na internet:

https://www.courts.ri.gov/Interpreters/englishyersion/Pages/default.aspx.

Para solicitar uma tradução desta notificação para qualquer outro idioma, telefone para o Gabinete de Intérpretes Judiciais através do número (401) 222-8710. Recomenda-se que esteja acompanhado por alguém que fale inglês quando fizer a chamada.

A Administração Judiciária de Rhode Island está empenhada em tornar os tribunais acessíveis para todos.

Gabinete de Intérpretes Judiciais Complexo Judicial Licht Quarto Piso, Sala 401 250 Benefit Street Providence, RI 02903

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#### NOTICE



You have a case in the Rhode Island state court system.

You have the right to an interpreter at no cost to you.

Rhode Island Supreme Court Executive Order 2012-05 states that when a Limited-English Proficient (LEP) person appears in court, the Rhode Island Judiciary will provide a free authorized interpreter for the defendant, plaintiff, witness, victim, parent of a juvenile, or someone with a significant interest in the court proceeding. This interpreting service is provided at no cost to the parties and in all types of cases, both civil and criminal. Court interpreters work in all the courthouses of the Rhode Island state court system.

To schedule an interpreter for your day in court, you have the following options:

- 1. Call the Office of Court Interpreters at (401) 222-8710, or
- 2. Send an email message to interpreterfeedback@courts.ri.gov, or
- 3. Visit the interpreters' office to schedule an interpreter:

The Office of Court Interpreters Licht Judicial Complex Fourth Floor, Room 401 250 Benefit Street Providence, RI 02903

When requesting an interpreter, please provide the following information:

The name and number of your case
The language you are requesting
The date and time of your hearing
The location of your hearing

Your name and a telephone number where we can reach you or your lawyer

For more information in Portuguese, Russian, and Spanish, including a listing of court forms that are available in Spanish, please visit our website on the Internet:

https://www.courts.ri.gov/Interpreters/englishversion/Pages/default.aspx.

To request a translation of this notice into any other language, please call the Office of Court Interpreters at (401) 222-8710. It would be helpful to have an English speaker with you when you call.

The Rhode Island Judiciary is committed to making the courts accessible to all.

The Office of Court Interpreters
Licht Judicial Complex Fourth
Floor Room 401
250 Benefit Street
Providence, RI 02903